

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

UNITED STATES OF AMERICA	)	CRIMINAL NO.: <u>2:22-cr-191</u>
)	
	)	18 U.S.C. § 922(g)(1)
	)	18 U.S.C. § 924(a)(2)
	)	18 U.S.C. § 924(e)
	)	18 U.S.C. § 924(c)(1)(A)(i)
v.	)	18 U.S.C. § 924(d)(1)
	)	21 U.S.C. § 802(57)
	)	21 U.S.C. § 802(58)
	)	21 U.S.C. § 851
	)	21 U.S.C. § 853
	)	21 U.S.C. § 881
ANTHONY GLENN JAMES	)	28 U.S.C. § 2461(c)

INDICTMENT
(Sealed)

COUNT ONE

THE GRAND JURY CHARGES:

On or about December 1, 2020, in the District of South Carolina, the Defendant, **ANTHONY GLENN JAMES**, knowingly, intentionally, and unlawfully did possess with the intent to distribute 50 grams or more of a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, a quantity of eutylone (commonly known as “bath salts”), and a quantity of marijuana, both Schedule I controlled substances;

All in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B), 841(b)(1)(C), and 841(b)(1)(D).

COUNT TWO

THE GRAND JURY FURTHER CHARGES:

On or about December 1, 2020, in the District of South Carolina, the Defendant, **ANTHONY GLENN JAMES**, knowingly did use and carry a firearm during and in relation to and did possess a firearm in furtherance of a drug trafficking crime, as set forth in Count One, which is prosecutable in a court of the United States;

All In violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT THREE

THE GRAND JURY FURTHER CHARGES:

That on or about December 1, 2020, in the District of South Carolina, the Defendant, **ANTHONY GLENN JAMES**, knowingly possessed a firearm and ammunition in and affecting commerce, to wit, a Smith and Wesson 9mm pistol and 9mm ammunition, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year and knowing that he had been convicted of such a crime;

All violation of Title 18, United States Code, Sections 922(g)(1), 924(a)(2), and 924(e).

SENTENCING ENHANCEMENT PROVISIONS

THE GRAND JURY FURTHER CHARGES:

The Defendant, **ANTHONY GLENN JAMES**, prior to committing the violation contained in Count 1 of this Indictment, had the following conviction for a serious violent felony, pursuant to Title 21, United States Code, Section 802(58), that had become final for the purposes of Title 21, United States Code, Section 841:

- a. August 29, 2005 – a conviction for a serious violent felony in the State of South Carolina, Indictment Number 2004-GS-10-7542, for which the Defendant served more than 12 months in prison.

All in violation of Title 21, United States Code, Sections 802, 841, and 851.

FORFEITURE

FIREARM/DRUG OFFENSES:

Upon conviction for violation of Title 18 and 21, United States Codes as charged in this Indictment, the Defendant, **ANTHONY GLENN JAMES**, shall forfeit to the United States all of the Defendant's rights, title, and interest in and to any property, real and personal,

- (a) constituting, or derived from any proceeds the Defendant obtained, directly or indirectly, as the result of such violation(s) of Title 21, United States Code, and all property traceable to such property;
- (b) used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations of Title 21, United States Code;
- (c) any firearms and ammunition (as defined in 18 U.S.C. § 921) –
 - (1) used or intended to be used to facilitate the transportation, sale, receipt, possession or concealment of controlled substances or any proceeds traceable to such property;
 - (2) involved in or used in any knowing violation of 18 U.S.C. §§ 922 or 924, or violation of any other criminal law of the United States, or intended to be used in a crime of violence.

PROPERTY:

Pursuant to 18 U.S.C. § 924(d)(1), 21 U.S.C. §§ 853 and 881, and 28 U.S.C. § 2461(c), the property which is subject to forfeiture upon conviction of the Defendant, includes, but is not limited to, the following:

A. **Firearm:**

Smith and Wesson 9mm pistol
Serial Number: JCF8387

B. **Ammunition:**

Miscellaneous rounds of 9mm ammunition

C. Proceeds/Forfeiture Judgment:

A sum of money equal to all property the Defendant obtained as a result of the drug offenses charged in the Indictment, and all interest and proceeds traceable thereto as a result for his violation of 21 U.S.C. § 841.

SUBSTITUTE ASSETS:

If any of the property described above, as a result of any act or omission of the Defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty.

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the Defendant up to an amount equivalent to the value of the forfeitable property;

Pursuant to Title 18, United States Code, Section 924(d)(1), Title 21, United States Code, Sections 853 and 881, and Title 28, United States Code, Section 2461(c).

A True BILL



FOREPERSON

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